

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

NATHANIEL WILLIAMS,

Plaintiff,

v.

WILLIAM GITTERE, *et al.*,

Defendants.

Case No. 3:18-cv-00282-MMD-CLB

ORDER

Plaintiff Nathaniel Williams filed this action under 42 U.S.C. § 1983. (ECF No. 1-1.) After thrice amending, Plaintiff filed his Fourth Amended Complaint against named Defendants Kim Adamson, Renee Baker, John Borrowman, Carlos Calderon, Sonya Carrillo, Charles Daniels, Frank Dreesen, Brian Egerton, Philip Gang, William Gittere, Steve Green, Judith Hebert, Jerry Howell, Kenia Leon, Michael Minev, Ronald Oliver, Rene Pena, Agapito Racoma, William Reubart, Bonnie Swadling, Devlin Thompson, Harold Wickham, Brian Williams, Catherine Yup, “Dustin,” and “D Huttenschmidt.” (ECF No. 88.) Per the notice filed by Attorney General Aaron Ford and Deputy Attorney General Jeffrey A. Cogan, all named Defendants had joined the action except “Dustin” and “D Huttenschmidt.” (ECF No. 112.)

The fourth amended complaint in this action was filed on February 28, 2020. (ECF No. 88.) On August 26, 2020, the Court granted Plaintiff an extension of time to serve Defendants Kenia Leon, Agapito Racoma, “Dustin,” and “D. Huttenschmidt.” (ECF No. 108.) Plaintiff had until November 20, 2020 to serve the remaining Defendants. (*Id.*) Kenia Leon and Agapito Racoma answered Plaintiff’s complaint on September 14, 2020. (ECF No. 109.) The Court issued a notice of intent to dismiss under Federal Rule of Civil Procedure 4(m) if the Court had not received proof of service as to “Dustin” by January 1, 2021 (ECF No. 113), but he was not timely served and the Court dismissed any claims

1 against him without prejudice (ECF No. 116). The Court then issued a notice of intent to
2 dismiss Defendant "D Huttenschmidt" pursuant to Fed. R. Civ. P. 4(m) unless proof of
3 service was filed by February 10, 2021. (ECF No. 115.) To date, no such proof of service
4 has been filed.

5 Accordingly, it is ordered that the claims against "D Huttenschmidt" are dismissed
6 without prejudice.

7 DATED THIS 2nd Day of March 2021.

8
9
10 

11

MIRANDA M. DU
12 CHIEF UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28